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26 *Ultimate Fighting Championship and UFC*

17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 Cung Le, Nathan Quarry, Jon Fitch, Brandon  
20 Vera, Luis Javier Vazquez, and Kyle Kingsbury,  
21 on behalf of themselves and all others similarly  
22 situated,

23 Plaintiffs,

24 v.

25 Zuffa, LLC, d/b/a Ultimate Fighting  
26 Championship and UFC,

27 Defendant.

28 No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF NICHOLAS A.  
WIDNELL IN SUPPORT OF THE  
JOINT MOTION TO SEAL THE  
PARTIES' JOINT STATEMENT  
REGARDING INDEPENDENT  
EXPERTS**

1 I, Nicholas A. Widnell, declare as follows:

2 1. I am a member in good standing of the bar of the District of Columbia. I am  
3 admitted *pro hac vice* to practice before this Court in this matter. I am a Partner in the law firm  
4 Boies Schiller Flexner LLP (“BSF”), counsel for Zuffa, LLC (“Zuffa”) in the above captioned action  
5 in the U.S. District Court for the District of Nevada, *Le et al. v. Zuffa, LLC*, No. 2:15-cv-01045-RFP-  
6 PAL.

7 2. I make this declaration in support of the Parties’ Joint Motion to Seal the Parties’  
8 Joint Statement Regarding Independent Experts. Based on my personal experience, knowledge, and  
9 review of the files, records, and communications in this case, I have personal knowledge of the facts  
10 set forth in this Declaration and, if called to testify, could and would testify competently to those  
11 facts under oath.

12 3. In preparing their Joint Statement Regarding Independent Experts (the “Statement”)  
13 and generating a list of candidates who might serve as an Independent Expert in this case, pursuant  
14 to guidance from the Court, Zuffa and the Plaintiffs (collectively “the Parties”) initially contacted  
15 each proposed independent expert by email to ensure that the candidate was interested in such an  
16 appointment and available to serve as a Court-appointed expert in this case. That email and  
17 subsequent email correspondence listed lead counsel from both Parties as signatories to prevent each  
18 candidate from learning which party proposed that candidate’s name. In addition, in follow up  
19 phone calls, to continue to ensure that each potential independent expert candidate did not know  
20 which of the Parties had proposed the candidate’s name, the Parties contacted each expert together,  
21 with counsel for both Zuffa and Plaintiffs participating in the discussion with each expert in a similar  
22 manner, regardless of which Party proposed the expert.

23 4. At no time during these calls or in any other communications did either party disclose  
24 to any potential independent expert candidate which party had proposed the potential candidate’s  
25 name for inclusion in the Statement.

26 5. These efforts were taken to prevent the independent expert candidates from knowing  
27 which party sponsored their nomination in order to prevent potential bias or prejudice.

1  
2 I declare under penalty of perjury under the laws of the United States of America that the  
3 foregoing facts are true and correct. Executed this 12th day of April, 2019 in Washington, DC.  
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/s Nicholas A. Widnell  
Nicholas A. Widnell